

OFFICE OF PROCUREMENT
Receipt and Opening of Offers
LMS-OP-4515 Revision: D-2

Approved: Original signed on file
Organizational Unit Manager, Office of Procurement

NASA Langley Research Center (LaRC)
Langley Management System (LMS)

CHANGE RECORD

Rev. No.	Date	Description
B	3/19/01	Incorporates LMS-OP-4546 and LMS-TD-4547 Tab 51 procedures. Adds requirement to post sealed bid results to NAIS.
C	2/13/02	Incorporates information from LMS-TD-4547, Tab 52 and deletes references to NF 1098 tabs.
D	8/22/02	Adds Section II regarding records. Updates and clarifies various instructions
D-1	10/3/04	Minor changes for clarification (Paragraph IV, C. 1. & 4.). Corrects organizational references.
D-2	6/13/06	Minor changes for clarification Paragraph IV, C, C 1 & 3, D and E. Corrects organizational references.

Verify correct revision before use by checking the LMS Web Site

I. Introduction

Bids and Proposals are defined as “offers” in FAR Part 2 definitions. Offers must be identified, recorded, safeguarded, and processed in a specific manner. General guidance for processing the receipt of bids and proposals is included in FAR Parts 14 and 15, respectively, and the associated NFS Parts 1814 and 1815. A quote received in response to a request for quotation under the Simplified Acquisition procedures of FAR Part 13 is not considered an offer. Accordingly, quotes are not treated as bid or proposal data.

II. Records

Records generated by this procedure are contained in the Contract Files.

III. Listing of Instruction Topics

- A. Receiving Offers
- B. Safeguarding Offers
- C. Recording Sealed Offers
- D. Recording Negotiated Offers
- E. Late Offers or Mistakes
- F. Freedom of Information Act (FOIA) Requests

IV. Instructions

A. Receiving Offers - Offers submitted in response to a solicitation are normally received in the Business Management Branch (BMB) by the Bid Opening Officer (BOO) for safeguarding. Exceptions involve special solicitation announcements such as NASA Research Announcements (NRAs) that require responses to be submitted to the responsible technical organization as described in LMS-CP-4535. Note that while the FAR and NFS allow facsimile offers, the OP does not accept facsimile bids or proposals; however, facsimile amendments to bids are accepted. Also note that offers received in response to solicitations released under Indefinite Delivery Indefinite Quantity (IDIQ) contracts are normally received by the Contract Specialist (CS) and processed in accordance with FAR Part 16.

B. Safeguarding Offers - All offers should be safeguarded to deny access to unauthorized persons and to insure accountability of all copies. Offers in the form of proposals may reflect proprietary restrictions. Bid information may be released after the date and time of the public bid opening, while proposal data is not released outside of the Government. Facsimile amendments to offers, when authorized in the solicitation, are received on a secure facsimile machine located in the BMB.

C. Recording Sealed Bids - Sealed bids are opened by the BOO, or alternate, in accordance with FAR Part 14.402 and recorded by the Bid Recorder (BR), or alternate, in accordance with FAR Part 14.403.

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1. Prior to the sealed bid opening, the BR fills in the top section of the Standard Form 1409, Abstract of Offers, or Optional Form 1419, Abstract of Offer—Construction.

2. When vendor representatives are present and it is appropriate, the BOO shall announce approximately five minutes prior to the opening: “There have been “x” number of amendments issued under Solicitation No. NNL_____. Have all vendors present acknowledged receipt of the “x” amendments on the proper form?” If any representative answers, “No,” that representative is referred to the copies of the amendment(s) posted in the designated conference room. (It is the BR’s responsibility to display, in the designated conference room, copies of the amendments for each solicitation to be opened that day.) Representatives who have not acknowledged the amendments are allowed to acknowledge receipt of amendments on the face of the sealed bid envelope. (After the sealed bid opening, the envelope is retained as part of the bid.)

3. Sealed bids are opened by the BOO in the presence of the BR, in a designated conference room, at the time specified in the IFB or the Request for Offer (RFO), usually 3:00 p.m.local time. The BOO is responsible for assuring the correct time by periodically checking with the Naval Observatory Master Clock (202-762-1401 or 202-0762-1069) to verify the accuracy of the designated conference room clock. When the BOO determines that it is time for opening, he/she announces: “It is now ____ o’clock, the time set for opening of sealed bids.” After the time designated in the solicitation for receipt of bids, no bids or amendments will be accepted.

4. As the BOO opens and reads aloud all the bids received for the IFB/RFO, including the Government estimate for construction efforts, the BR completes the SF 1409 or OF 1419. The BOO signs the bid abstract in the space provided after all bids have been recorded to certify its accuracy.

5. After the above processes are completed, the BOO announces: “These are all the bids received under Solicitation No. NNL_____. Does anyone present wish to examine the bids submitted?” Any representative who examines a bid must sign the abstract of offers with his/her name and the name of the firm he/she represents. The representative is then allowed, under the immediate supervision of the BOO, to examine and return the original bid. The review of any bid shall be with a minimum of interference. Any information restricted by the bidder from public disclosure shall not be revealed to other bidders. After examination by the representative has been completed, the bids are reassembled by the BOO or the BR.

6. The BR makes one copy of the abstract for retention by the Industry Assistance Representative and distributes the original abstract with bids to the cognizant CS.

7. The CS shall post the government estimate and the top three bid results (company name and amount of bid) to the NASA Acquisition Internet Service (NAIS) Electronic Posting System (EPS) under the title "Bid Opening Results." The bid opening results shall be posted as an upload using “other” as the type of upload.

D. Recording Negotiated Offers - Proposals are opened by the BOO, or alternate, for identification purposes only, and the offeror names and number of boxes/packages/envelopes received are recorded in accordance with FAR Part 15.2. The CS is responsible for the final documentation and verification of all proposals received on SF 1409, Abstract of Offers.

E. Late Offers or Mistakes - The CS shall review pertinent sections of FAR/NFS Parts 14/15 prior to determining an offer late or containing a mistake. The CS shall document any administrative determinations. The envelope or shipping package of a late offer that has been accepted shall remain in the Contract File as a permanent record of the events. If a partial shipment of multiple copies of an offer is received, the offer is not late if at least one complete copy is received.

F. FOIA Requests – General guidance on safeguarding offers and releasing proposal information is included in FAR Part 3 and NFS Parts 1803 and 1815. Requests for offeror information shall be in writing (website: <http://foia.larc.nasa.gov>), in accordance with the FOIA. Any hard copy FOIA requests should be forwarded directly to the NASA Langley Freedom of Information Office. See additional instructions in FAR Part 24 and NFS 1824.